THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

DATED: 14-09-2005

WRIT PETITION No.20179 of 2005

Between:

Balaji School of Nursing . . .Petitioner

And

The Govt. of A.P. and another . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.20179 of 2005

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ORDER:

The petitioner is a School of Nursing established in the year 1988. It is imparting education in the course of diploma in Nursing and Midwifery. Its approved strength is 45. The Government of Andhra Pradesh issued G.O.Ms.No.256, Health, Medical and Family Welfare Department, dated 20-08-2004 providing for an enhancement of intake up to maximum of 60. Wherever an application is made by an existing institution for enhancement of seats, the Director of Medical Education shall issue directions to conduct an inspection and based upon the said inspection report, necessary orders are required to be passed by the Government.

The petitioner contends that it submitted an application on 01-10-2004 for enhancement of seats in accordance with the stipulated procedure and an inspection was carried on 14-11-2004. The grievance of the petitioner is that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for Medical and Health.

The petitioners sought to avail the benefit of enhancement of seats provided for under G.O.Ms.No.256, dated 20-08-2004. It is stated that the inspection was also conducted on 14-11-2004. The contents of the Report are not known. If the report is in favour of the petitioner, the Government ought to have increased the seats in the petitioner institute. On the other hand, if the report is not favourable to the petitioner, either an order of rejection ought to have been passed or further steps to be taken by the petitioner ought to have been indicated. There does not exist any justification in keeping the matter pending for such a long time. The academic year has already commenced.

For the foregoing reasons, the writ petition is disposed of directing the first respondent to pass appropriate orders on the application made by the petitioner for enhancement of seats, within a period of two weeks from the date of receipt of a copy of this order, duly taking into account the report said to have been submitted by the inspection team.

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(L.NARASIMHA REDDY, J)

14th SEPTEMBER, 2005.

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